IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
No. 4:05-CR-50-1H

UNITED STATES OF AMERICA	)	
	)	
	)	
v.	)	
	)	**ORDER**
	)	
CEDRIC MONTE LITTLE,	)	
	)	
Defendant.	)	

This matter is before the court on defendant's Motion for Habeas/Post-Conviction Relief, filed July 3, 2012 [DE #33]. Defendant moves the court, pursuant to Rules 60(b)(5) and 60(b)(6) of the Federal Rules of Civil Procedure, to vacate or modify his judgment of conviction and sentence entered by the court in this criminal action. Rule 60 of the Federal Rules of Civil Procedure governs the procedure only in civil actions and proceedings, see Fed. R. Civ. P. 1, and therefore provides no avenue for relief from defendant's conviction and sentence. Accordingly, defendant's motion is DENIED.

This 10th day of August 2012.

MALCOLM J. HOWARD
Senior United States District Judge

At Greenville, NC
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